

**Subcommittee on Africa, Global Human Rights and International Operations  
Prepared Statement of Rep. Christopher Smith, Chairman**

**UN Peacekeeping Reform: Seeking Greater Accountability and Integrity**

**May 18, 2005**

The Subcommittee will come to order. Today's hearing is the third in a series of hearings this subcommittee is conducting on the topic of reform at the United Nations, and the second hearing we are holding on peacekeeping reform.

On March 1<sup>st</sup>, just 12 weeks ago, the committee met to examine credible evidence of gross sexual misconduct and exploitation of refugees and vulnerable people by UN peacekeepers and civilian personnel assigned to the UN peacekeeping mission in the Democratic Republic of Congo. Human rights groups and the UN's own internal investigations had uncovered over 150 allegations against Mission personnel, typically involving peacekeepers' sexual contact with Congolese women and girls, some as young as 11-14, in exchange for food or small sums of money. Further, the UN had struggled to deal with similar sexual exploitation and abuse allegations in recent years in Sierra Leone, Liberia, and Guinea, as well as on the European continent in Kosovo and Bosnia. Yet despite many well-meaning gestures, there had not been one successful prosecution of UN civilian or military personnel, either in the Congo or elsewhere.

At that hearing, the United Nations made available Assistant Secretary General for Peacekeeping Operations, Dr. Jane Holl Lute to brief the Subcommittee on steps the UN Secretariat and Department of Peacekeeping Operations were taking to address the problem. As Members of this Subcommittee may recall, Dr. Lute declared, "...The Blue Helmet has become black and blue through self-inflicted wounds of some of our number and we will not sit still until the luster of that Blue Helmet is restored....It is unacceptable. It is simply unacceptable. The United Nations peacekeepers owe a duty of care to the people we serve. We owe this duty of care to the member states who place their trust in us when they send us to a mission. We owe this duty of care to the aspirations and hopes for the future that everyone has when they invest a peacekeeping mission in places like the Congo. It will be stamped out."

Since that time, I am pleased to report that I am seeing signs of real change in the way the United Nations goes about peacekeeping, certainly in the area of preventing human rights abuses. Investigations into allegations of sexual exploitation and abuse involving 96 peacekeeping personnel have been completed, with 66 military personnel repatriated on disciplinary grounds. On the civilian side, three UN staff have been dismissed; six others are undergoing disciplinary process; and three have been cleared. Missions have put into place a broad range of measures to prevent misconduct, from establishing focal points and telephone hotlines to requiring troops to wear uniforms at all times.

Moreover, the Fourth Committee of the UN General Assembly on April 18<sup>th</sup> unanimously endorsed the reform proposals of the Special Committee on Peacekeeping Operations, which include:

- training on standards of conduct;
- development of established units for peacekeeping rather than those assembled on an ad hoc basis;
- commitments by all troop contributing countries to pursue investigations and prosecutions of peacekeeping personnel for credible instances of sexual allegation and abuse;
- creation of a database to track allegations and ensure that prior offenders are not rehired;
- organization, management and command responsibility to create and maintain an environment that prevents against sexual exploitation and abuse;
- establishment of a professional and independent investigative capacity;
- assistance to victims; and
- development of a model MOU for troop contributing countries to encompass these recommendations.

The General Assembly must now act on these recommendations, providing the necessary financial and political support to fully and promptly implement them. While a representative of the United Nations could not be here today to update the Committee on these issues due to scheduling conflicts, the UN has committed to providing us with a written statement.

It is my desire that this hearing will stimulate the same sense of commitment and urgency at the UN to undertake broader reforms in peacekeeping. Peacekeeping has changed significantly since the creation of the United Nations and the first peacekeeping missions, which were largely limited to “traditional” non-military functions, such as monitoring of cessation of hostilities agreements, deployment of observer missions, and the maintenance and patrol of borders. With the end of the Cold War, the number of peacekeeping missions ballooned, as the Security Council deployed 20 new missions between 1988 and 1994. Tasks of peacekeepers have also evolved and now include more complex assignments such as nation-building, protection of vulnerable populations, and establishment and maintenance of security in post-conflict environments.

Our collective memories are still painfully sharp in recalling the peacekeeping fiascos of Bosnia, Rwanda and Somalia. Thankfully we have some notable successes to balance the picture out, in which stability was restored and substantial contributions made towards economic and political development, in UN missions in Kosovo, Sierre Leone and East Timor. What these examples illustrate is the importance of getting the mandate “right,” matching the mission to the mandate, ensuring adequate staffing and funding, and providing for a transition to a sustained peace.

I look forward to hearing from our distinguished panels on the broader issues of peacekeeping reform. As the committee develops legislation on these issues, Members

are particularly interested in the Administration's articulation of the role and functions the UN should play in the area of peacekeeping in the coming years. In particular, we hope to hear which specific reforms are needed at this time and what financial and political resources will be necessary to implement them.

U.S. officials have endorsed Secretary General Annan's proposal for a Peacebuilding Commission and Support Office to undertake post-conflict transition and coordinate donor assistance and activities. But has a global audit of existing peacekeeping missions ever been conducted to review mandates and right-size missions? Has there been an examination of whether peacekeeping tasks could be outsourced to professional private security companies to perform tasks more cost-effectively or deploy into difficult situations where Member States have demonstrated a reluctance or inability to go? What are we doing to widen the donor support base for peacekeeping missions? And finally, what should the United States do if necessary reforms are not being implemented, either by the UN or by troop contributing nations?

In addition to legislation being developed on UN reform, I have introduced the Trafficking Victims Protection Reauthorization Act of 2005, HR 972, which contains several provisions specifically targeted at preventing trafficking in persons, sexual exploitation, and abuse by military personnel and in peacekeeping operations. HR 972 would require the State Department to certify to Congress, before it contributes U.S. logistical or personnel support to a peacekeeping mission, that the international organization has taken appropriate measures to prevent the organization's employees, contractors, and peacekeeping forces from engaging in trafficking in persons or committing acts of illegal sexual exploitation. The provision builds on two prior laws I have authored to combat trafficking in persons and reduce sexual exploitation, the Trafficking Victims Protection Act of 2000 and the Trafficking Victims Protection Reauthorization Act of 2003.

Other measures in this bill to combat sexual exploitation and trafficking in persons by military and peacekeepers are:

- Amending the U.S. Uniform Code of Military Justice to prohibit the use or facilitation of persons trafficked for sex or labor;
- Establishing a Director of Anti-Trafficking Policies in the Office of the Secretary of Defense;
- Reporting of steps taken by the UN, OSCE, NATO and other international organizations to eliminate involvement of its personnel in trafficking;

In conclusion, the progress since our last hearing is encouraging, but we are only at the beginning of the necessary reform process. What comes out at the other end I hope will be a United Nations equipped for the unique challenges of this new century, with peacekeeping leading the way for reforms in other vital areas.